

OCT 29 1992



United States Department of State
Bureau of Consular Affairs

VISA BULLETIN

Number 12

Volume VI

Washington, D.C.

REGISTRATION FOR THE SECOND YEAR OF THE AA-1 IMMIGRANT VISA PROGRAM

Information on the Application Procedure for the 40,000 Immigrant Visas to be Made Available in the AA-1 Category During Fiscal Year 1993

THE AA-1 IMMIGRANT VISA "LOTTERY" PROGRAM:

Section 132 of the Immigration Act of 1990 provides 40,000 immigrant visas for each of fiscal years 1992, 1993, and 1994 to natives of the countries and areas from which immigration was previously identified as having been "adversely affected" by the 1965 immigration legislation. This program is identified by the visa symbol AA-1, and is informally known as the "visa lottery". The law specifies that THERE MUST BE A SEPARATE REGISTRATION FOR EACH YEAR'S AA-1 VISAS. The application period for the first year's visas was completed during 1991, and those visas are being issued until September 1992. This information concerns the application period during 1992 for visas to be issued during fiscal year 1993, the second year of the program.

WHO QUALIFIES FOR REGISTRATION UNDER THE AA-1 PROGRAM?

Natives (as that term is explained in question 1 on page 3) of the following countries and areas are entitled to apply for AA-1 visas:

ALBANIA	FINLAND	HUNGARY	LUXEMBOURG
ALGERIA	FRANCE	ICELAND	MONACO
ARGENTINA	GUADELOUPE	INDONESIA	NETHERLANDS
AUSTRIA	NEW CALEDONIA	IRELAND	NORWAY
BELGIUM	GERMANY	ITALY	POLAND
CANADA	GREAT BRITAIN	JAPAN	SAN MARINO
CZECHOSLOVAKIA	NORTHERN IRELAND	LATVIA	SWEDEN
DENMARK	BERMUDA	LIECHTENSTEIN	SWITZERLAND
ESTONIA	GIBRALTAR	LITHUANIA	TUNISIA

HOW AND WHEN WILL APPLICATIONS FOR AA-1 STATUS BE ACCEPTED?

The application period for registration for the visas to be issued during Fiscal Year 1993 (i.e., from October 1992 through September 1993) WILL BEGIN AT 12:01 A.M. (Washington, D.C. time) ON WEDNESDAY, JULY 29, 1992, AND WILL END AT 12:00 P.M. (MIDNIGHT) ON FRIDAY, AUGUST 28, 1992. APPLICATIONS MUST BE MAILED TO THE FOLLOWING ADDRESS:

AA-1 PROGRAM
P.O. BOX 1993
DULLES, VA 21301-1993
U.S.A.

NORTHERN IRELAND
GEORGE Q. PUBLIC
1234 ANY STREET, APT 5
CENTER CITY, NJ 10001

AA-1 PROGRAM
P.O. BOX 1993
DULLES, VA 21301-1993
U.S.A.

TYPED OR CLEARLY PRINTED at the UPPER LEFT HAND CORNER OF THE FRONT OF THE ENVELOPE must be the applicant's NATIVE COUNTRY OR AREA (from the list above). BELOW the country must be the NAME AND MAILING ADDRESS OF THE APPLICANT as they are shown on the application. EXAMPLE:

NORTHERN IRELAND
George Q. Public
1234 Any Street, Apt. 5
Center City, NJ 10001

COMPLETED

ONLY ONE APPLICATION MAY BE SUBMITTED BY OR FOR EACH APPLICANT DURING THIS REGISTRATION PERIOD. (SUBMISSION OF MORE THAN ONE APPLICATION WILL DISQUALIFY THE PERSON FROM REGISTRATION.) APPLICATIONS FOR REGISTRATION WILL BE SELECTED STRICTLY IN A RANDOM ORDER FROM AMONG ALL OF THOSE RECEIVED DURING THE SPECIFIED PERIOD.

Applications must be sent to the address above by regular mail or air mail, and may be mailed from within the United States or from abroad. Any mail requiring signed receipt such as registered mail, hand-delivered applications, telegrams, or applications sent by courier or any other means will NOT be eligible for the visa lottery. Applications received at the post office box before or after the application period or delivered to any other address will NOT be considered for registration. ONLY ONE APPLICATION MAY BE INCLUDED IN EACH ENVELOPE.

SIZE OF ENVELOPE: The envelope in which each application is mailed MUST be BETWEEN 6 inches and 9 1/2 inches (15 cm to 24 cm) IN LENGTH, and BETWEEN 3 1/2 inches and 4 1/2 inches (9 cm to 11 cm) IN WIDTH. This is necessary to assist the automated processing of the mail.

WHAT INFORMATION MUST BE INCLUDED ON THE APPLICATION FOR REGISTRATION?

THERE IS NO SPECIAL APPLICATION FORM; THE REQUEST FOR REGISTRATION MAY SIMPLY BE A SHEET OF PAPER which provides the necessary information TYPED OR CLEARLY PRINTED (in the Roman alphabet) in the following format:

- A. APPLICANT'S FULL NAME
Last Name, First Name and Middle Name.
(Underline Last Name/Surname/Family Name) Example: Public, George Quincy
- B. APPLICANT'S DATE AND PLACE OF BIRTH
Date of birth: Day, Month, Year. Example: 15 November 1961
Place of birth: City/Town, District/County/Province, Country.
Example: Toronto, Ontario, Canada
- C. NAME, DATE AND PLACE OF BIRTH OF APPLICANT'S SPOUSE AND CHILDREN, IF ANY
The spouse and child(ren) of an applicant who is registered for AA-1 status are automatically entitled to the same status. The spouse or child does NOT need to be born in one of the countries listed above. To obtain a visa on the basis of this derivative status, a child must be under 21 years of age and unmarried. NOTE: Do NOT list parents as they are not entitled to derivative status.
- D. APPLICANT'S MAILING ADDRESS
The mailing address must be clear and complete, since it will be to that address that the notification letter for the persons who are registered will be sent. A telephone number is optional.
- E. UNITED STATES CONSULAR OFFICE TO WHICH VISA REGISTRATION SHOULD BE SENT
Ordinarily, this will be the immigrant visa issuing consular office nearest the applicant's place of residence. If the applicant is in the United States, indicate the immigrant visa issuing office in the country of last previous residence outside the U.S. If the applicant does not know which U.S. consulates issue immigrant visas, list the city and country of the applicant's current residence abroad, or the city and country of last previous residence outside the U.S., and the processing center will identify the proper immigrant visa issuing consular office where the visa registration will be sent for processing.

Persons who claim ALTERNATE FOREIGN STATE CHARGEABILITY should also include a statement to that effect on the application. (See question No. 1 on page 3.)

ONLY ONE APPLICATION MAY BE SUBMITTED FOR EACH APPLICANT DURING THIS REGISTRATION PERIOD. MULTIPLE APPLICATIONS WILL DISQUALIFY AN APPLICANT.

THERE ARE NO OTHER REQUIREMENTS FOR SUBMITTING AN APPLICATION FOR REGISTRATION APART FROM WHAT IS SPECIFIED ABOVE. IT IS NOT NECESSARY TO INCLUDE AN OFFER OF EMPLOYMENT WITH A REGISTRATION REQUEST. (Applicants who are REGISTERED for AA-1 status will need to present an offer of employment in the U.S. at the time of formal visa interview. See question 8 on page 3 for more information on this point.) THERE IS NO FEE FOR SUBMISSION OF AN AA-1 REGISTRATION REQUEST. A SIGNATURE IS NOT REQUIRED ON THE APPLICATION.

FREQUENTLY ASKED QUESTIONS ABOUT THE AA-1 REGISTRATION

1. HOW IS THE TERM "NATIVE" DEFINED? ARE THERE ANY BASES UPON WHICH PERSONS WHO HAVE NOT BEEN BORN IN A QUALIFYING COUNTRY MAY QUALIFY FOR REGISTRATION?

Native means BOTH someone born within one of the countries listed above AND someone entitled to be "charged" to such country under the provisions of Section 202(b) of the Immigration and Nationality Act. An applicant for AA-1 registration may be charged to the country of birth of a spouse; a child can be charged to the country of birth of a parent; and an applicant born in a country of which neither parent was a native or a resident at the time of his/her birth may be charged to the country of birth of either parent. An applicant who claims the benefit of alternate chargeability must include a statement to that effect on the application for registration, and must show the country of chargeability on the upper left hand corner of the envelope in which the registration request is mailed.

2. CAN NATIVES OF CANADA APPLY FOR AA-1 REGISTRATION?

Yes, for this and the next registration period, natives of Canada are entitled to apply for registration for AA-1 visas.

3. WHAT IF A PERSON'S BIRTH PLACE WAS IN AN "AA-1" COUNTRY AT THE TIME OF BIRTH, BUT DUE TO CHANGES IN BOUNDARIES IS NO LONGER WITHIN A QUALIFYING COUNTRY?

For a person to be considered to have been born in a qualifying country, the place of birth must be within the boundaries currently recognized by the U.S.

4. MAY PERSONS WHO ARE IN THE U.S. APPLY FOR REGISTRATION?

Yes, an applicant may be in the U.S. or in another country, and the application may be mailed in the U.S. or abroad.

5. IS EACH APPLICANT LIMITED TO ONLY ONE APPLICATION DURING THIS AA-1 REGISTRATION PERIOD?

Yes, for this and for the next AA-1 registration, the law allows only ONE application BY OR FOR each person; SUBMISSION OF MORE THAN ONE APPLICATION WILL DISQUALIFY THE PERSON FROM REGISTRATION.

6. MAY A HUSBAND AND A WIFE EACH SUBMIT A SEPARATE APPLICATION?

Yes, a husband and a wife may each submit one application for registration; if either is registered, the other would be entitled to derivative status.

7. MUST EACH APPLICANT SUBMIT HIS/HER OWN REQUEST, OR MAY SOMEONE ACT ON BEHALF OF AN APPLICANT?

Applicants may prepare and submit their own request for registration, or have someone act on their behalf. Regardless of whether an application is submitted by the applicant directly, or by a relative, friend, attorney etc., ONLY ONE APPLICATION MAY BE SUBMITTED IN THE NAME OF EACH PERSON. There is no requirement that an applicant sign the registration request. Only one notification letter will be sent for each case registered, to the address on the application.

8. WHAT ARE THE REQUIREMENTS FOR AN OFFER OF EMPLOYMENT IN THE UNITED STATES?

An offer of employment should NOT be submitted as part of the registration application. Applicants who are successfully registered for AA-1 status will need to present an employment offer at the time of visa issuance. Applicants must submit evidence of a commitment for FULL-TIME employment in the U.S. at the visa interview. Two or more part-time jobs will meet this requirement if, taken together, they constitute full-time employment, as long as the applicant submits letters from each employer supporting the job offer. The offer may come from a business or any other institution or organization in the United States, or from a private individual. Evidence of existing self-employment in the United States CAN meet the offer of employment requirement; a plan to create one's own business in the future, even in the immediate future, would NOT qualify, however.

9. HOW WILL CASES BE REGISTERED?

All mail received will be individually numbered. After the end of the application period, a computer will randomly select cases from among all the mail received. The first letter randomly selected will be the first case registered, the second letter selected the second registration, etc. It makes no difference whether an application is received early or late in the application period. When a case has been registered, the applicant will immediately be sent a notification letter, which will provide appropriate visa application instructions. The registration will at the same time be forwarded to the consular office which will process the case; all subsequent visa processing information will be obtained by the applicant directly from that consular office.

10. WILL APPLICANTS WHO ARE NOT REGISTERED BE INFORMED?

No, applicants who are not registered will receive no response to their registration request. Only those who are registered will be informed. All notification letters are expected to be sent within about three months of the end of the application period. Anyone who does NOT receive a letter will know that his/her application has not been registered.

11. HOW MANY APPLICANTS WILL BE REGISTERED?

A total of about 50,000 persons, both principal applicants and their spouses and children, will be registered. Since it is likely that some of the first 40,000 persons who are registered will not pursue their cases to visa issuance, this larger figure should ensure use of all AA-1 numbers, but it also risks some registrants' being left out. All applicants who are registered will be informed promptly of their place on the list. Each month visas will be issued, according to registration lottery rank order, to those applicants who are ready for visa issuance during that month. Once all of the fiscal year 1993 visas have been issued, the program for the year will end. (In the event there are any numbers from the worldwide or Ireland 1992 AA-1 limits which are unused for visa issuance during that fiscal year, such numbers will be added to the AA-1 limits for fiscal year 1993.) Registered applicants who wish to receive visas must be prepared to ACT PROMPTLY on their cases.

The law specifies that at least 40% (i.e., 16,000) of each year's AA-1 visas are to be made available to natives of Ireland. Natives of Northern Ireland are entitled to benefit from the 40% of the AA-1 numbers provided for Ireland. So that Northern Ireland natives are properly identified during registration processing, they should show their area of birth as NORTHERN IRELAND on their application and envelope.

12. IS THERE A MINIMUM AGE FOR APPLICANTS FOR REGISTRATION UNDER THE AA-1 PROGRAM?

There is NO minimum age for submission of an application for registration, but the requirement of a firm commitment of employment for each principal applicant at the time of visa issuance will effectively disqualify anyone who is under the legal working age.

13. WILL THERE BE ANY SPECIAL FEE FOR REGISTRATION IN THE AA-1 CATEGORY?

There is NO FEE FOR SUBMITTING A REQUEST FOR REGISTRATION, and NO FEE should be included with the letter sent to the post office box indicated above. There will be a special fee of US\$25.00 per case registered, however, to cover the cost of processing the AA-1 registrations. This fee will be collected by the consular office to which the case is sent for processing, when the applicant responds to the registration notification letter.

14. ARE AA-1 APPLICANTS SPECIALLY ENTITLED TO APPLY FOR A WAIVER OF ANY OF THE GROUNDS OF VISA INELIGIBILITY?

The law states that, for AA-1 visa applicants, the Immigration and Naturalization Service shall waive the ground of visa ineligibility based on misrepresentation on an application for a visa or for entry into the U.S. (INA 212(a)(6)(C)), unless there is a finding that such waiver is not in the national interest. In addition, the law automatically waives the two year foreign residence requirement on certain former exchange visitor ("J") visa holders under INA 212(e). Also, the requirement for a labor certification (INA 212(a)(5)(A)) does not apply. In all other respects, persons registered under the AA-1 program must meet the standard eligibility requirements before a visa can be issued.

15. MAY APPLICANTS WHO ARE ALREADY REGISTERED FOR AN IMMIGRANT VISA IN ANOTHER CATEGORY APPLY IN THIS REGISTRATION FOR THE AA-1 CATEGORY?

Yes, such persons may seek AA-1 status as well.

16. HOW LONG DO APPLICANTS WHO ARE REGISTERED ON THE BASIS OF THIS APPLICATION PERIOD REMAIN ENTITLED TO APPLY FOR VISAS IN THE AA-1 CATEGORY?

Under the law, persons registered following this AA-1 application period are entitled to apply for visa issuance ONLY DURING FISCAL YEAR 1993, i.e., from October 1992 through September 1993. There is no carry-over of benefit into another year for persons who are registered but who do not obtain visas during FY-1993. A separate application period must be held for each year's AA-1 visas prior to the start of the respective fiscal year. There is no restriction on a person's applying for AA-1 status during each of the three application periods.

NOTE: THERE IS ABSOLUTELY NO ADVANTAGE TO MAILING EARLY, OR MAILING FROM ANY PARTICULAR LOCALE. EVERY APPLICATION RECEIVED DURING THE MAIL-IN PERIOD WILL HAVE AN EQUAL RANDOM CHANCE OF BEING SELECTED. HOWEVER MORE THAN ONE APPLICATION PER PERSON WILL DISQUALIFY THE PERSON FROM REGISTRATION.

END

FILMED

11 / 24 / 92